

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS

SENATE

THREE YEARS ENDED JUNE 30, 1999

From The Office Of State Auditor Claire McCaskill

Report No. 2000-34 May 12, 2000 www.auditor.state.mo.us

The following findings were noted as a result of an audit conducted by our office of the General Assembly – Senate.

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The Senate does not have written job descriptions for many support staff employment positions and does not periodically evaluate many support staff employees. The Senate support staff personnel policy does not address how leave should be requested, approved, and documented, and these employees are not required to prepare time sheets. There is no personnel policy for senators' personal staff and there are not centralized leave records for these employees.

There is no segregation of duties over the payroll function, with the Senate payroll clerk handling all payroll duties. In addition, personnel files are not complete and various problems were noted pertaining to accumulated leave and the related records.

The Senate has not established a written procurement policy. Also, during the three years ended June 30, 1999, the Senate authorized the purchase and delivery of over \$150,000 in postage stamps to the various senators to be used for official business. No controls have been implemented to ensure the postage stamps are used properly or that any unused stamps are returned. In addition, the Senate printed calendars for distribution by most of the senators at a cost totaling \$21,750 for the three years ended June 30, 1999.

During the audit period, the Senate sold used office furniture and equipment items with an original acquisition cost of approximately \$52,000 to senators, their staff, or outside parties for approximately \$6,800. The Senate has not established a policy on how to value these items for sale. It was recommended that the Senate consider turning all used assets being disposed of over to State Surplus Property.

Most of the findings reported had also been reported in the previous audit of the Senate (covering the three years ended June 30, 1993) with the exception of the following:

Our previous audit noted the Senate did not reconcile its manual postage meter usage log to the computer log attached to the postage meter, and the balance of postage on the postage meter on account at the post office appeared to be excessive based on the amount of postage used annually.

We recommended the manual log be reconciled to the computer log to ensure the postage meter usage was properly recorded to each senator's allowance. Furthermore, we recommended that the postage balances be monitored in all postage accounts. The Senate did implement these recommendations.

Also noted in the previous audit report, we found documentation of prior approval was not found for all out-of-state trips. Administration Committee policy in the Senate required prior approval for all out-of-state travel. It was recommenced that the Senate document prior approval of out-of-state travel in the committee's minutes. This recommendations has also been implemented.

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE

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FINANCIAL SECTION

State Auditor's Reports



CLAIRE C. McCASKILL Missouri State Auditor

INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS

Members of the Senate Jefferson City, Missouri 65102

We have audited the accompanying special-purpose financial statements of the various funds of the Senate as of and for the years ended June 30, 1999, 1998, and 1997, as identified in the table of contents. These special-purpose financial statements are the responsibility of the Senate's management. Our responsibility is to express an opinion on these special-purpose financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the special-purpose financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the special-purpose financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The accompanying special-purpose financial statements were prepared for the purpose of presenting the receipts, disbursements, and changes in cash and investments of the Senate Revolving Fund, and the appropriations and expenditures of the various funds of the Senate and are not intended to be a complete presentation of the financial position and results of operations of the various funds of the Senate.

In our opinion, the special-purpose financial statements referred to in the first paragraph present fairly, in all material respects, the receipts, disbursements, and changes in cash and investments of the Senate Revolving Fund, and the appropriations and expenditures of the various funds of the Senate as of and for the years ended June 30, 1999, 1998, and 1997, in conformity with

the comprehensive bases of accounting discussed in Note 1, which are bases of accounting other than generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we also have issued our report dated October 22, 1999, on our consideration of the Senate's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants.

Our audit was made for the purpose of forming an opinion on the special-purpose financial statements, taken as a whole, that are referred to in the first paragraph. The accompanying financial information listed as supplementary data in the table of contents is presented for purposes of additional analysis. Such information has been subjected to the auditing procedures applied in the audit of the special-purpose financial statements and, in our opinion, is fairly stated in all material respects in relation to the special-purpose financial statements taken as a whole.

The accompanying History, Organization, and Statistical Information is presented for informational purposes. This information was obtained from the Senate's management and was not subjected to the auditing procedures applied in the audit of the special-purpose financial statements referred to above.

Claire McCaskill State Auditor

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October 22, 1999 (fieldwork completion date)

The following auditors participated in the preparation of this report:

Director of Audits: Kenneth W. Kuster, CPA

Audit Manager: Gregory A. Slinkard, CPA, CIA

In-Charge Auditor: Robert McArthur Audit Staff: Christy Stoelting

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CLAIRE C. McCASKILL Missouri State Auditor

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING

Members of the Senate Jefferson City, Missouri 65102

We have audited the special-purpose financial statements of the Senate as of and for the years ended June 30, 1999, 1998, and 1997, and have issued our report thereon dated October 22, 1999. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the special-purpose financial statements of the Senate are free of material misstatement, we performed tests of the Senate's compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance.

Internal Control Over Financial Reporting

In planning and performing our audit of the special-purpose financial statements of the Senate, we considered the Senate's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the special-purpose financial statements and not to provide assurance on the internal control over financial reporting. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the Senate's ability to record, process, summarize, and report financial data consistent with the assertions of management in the special-purpose financial statements.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material to the special-purpose financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses, and these matters are presented in the accompanying Management Advisory Report.

This report is intended for the information of the management of the Senate and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.

Claire McCaskill State Auditor

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October 22, 1999 (fieldwork completion date)

Financial Statements

Exhibit A

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE SENATE REVOLVING FUND COMPARATIVE STATEMENT OF RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH AND INVESTMENTS

	 Year Ended June 30,				
	1999	1998	1997		
RECEIPTS	 				
Sales	\$ 12,277	9,437	41,053		
Refunds and reimbursements	5,562	2,937	54,408		
Miscellaneous	50	991	1,558		
Total Receipts	17,889	13,365	97,019		
DISBURSEMENTS					
Expense and equipment	0	30,060	0		
Transfers to General Revenue Fund -					
State (Note 3)	1,966	77,608	1,001		
Total Disbursements	1,966	107,668	1,001		
RECEIPTS OVER (UNDER) DISBURSEMENTS	 15,923	-94,303	96,018		
CASH AND INVESTMENTS, JULY 1	 20,331	114,634	18,616		
CASH AND INVESTMENTS, JUNE 30	\$ 36,254	20,331	114,634		

The accompanying Notes to the Financial Statements are an integral part of this statement.

Exhibit B

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS
SENATE
COMPARATIVE STATEMENT OF APPROPRIATIONS AND EXPENDITURES

Year Ended June 30, 1999 1998 1997 Lapsed Lapsed Lapsed Appropriations Expenditures Balances Appropriations Expenditures Balances Appropriations Expenditures Balances GENERAL REVENUE FUND - STATE 8,896,266 8,356,820 539,446 8,101,396 7,556,769 544,627 7,715,877 7,271,095 444,782 Senate contingent expenses Salaries of members 994,299 982,814 11,485 945,271 942,963 2,308 916,803 916,801 Members' per diems 226,100 169,318 56,782 226,100 173,789 52,311 119,000 86,170 32,830 Members' mileage 56,435 51,663 4,772 56,435 53,288 52,270 3,147 56,435 4,165 General Assembly: Joint contingent expenses 831,572 254,009 577,563 1,117,769 534,885 582,884 1,120,947 426,406 694,541 Legislators' dues for professional organizations and other general 264,378 259,148 5,230 256,269 248,476 7,793 247,473 247,143 330 Joint Committee on Administrative Rules 111,855 86,992 24,863 0 104,022 97,302 6,720 Joint Committee on Public Employee 133,373 0 Retirement 198,731 65,358 0 183,651 117,499 66,152 Joint Committee on Capital Improvements and Lease Oversight 110,429 101,606 8,823 0 101,701 71,623 30,078 Joint Committee on Economic Development Policy and Planning 57,546 16,957 40,589 Joint Committee on Health Care Policy and Planning 66,302 104,533 104,533 96,113 29.811 Total General Revenue Fund - State 11,794,598 10,395,743 1,398,855 10,703,240 9,510,170 1,193,070 10,719,568 9,333,077 1,386,491 SENATE REVOLVING FUND Contingent expenses 40,000 40,000 40,000 40,000 40,000 30,060 9.940 Total All Funds 11,834,598 10,395,743 1,438,855 10,743,240 9,510,170 1,233,070 10,759,568 9,363,137 1,396,431

The accompanying Notes to the Financial Statements are an integral part of this statement.

Supplementary Data

Schedule 1

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS
SENATE
COMPARATIVE STATEMENT OF EXPENDITURES (FROM APPROPRIATIONS)

	<u></u>			Year Ended June 30,		
		1999	1998	1997	1996	1995
Personal service	\$	7,683,434	7,320,681	6,982,653	6,006,207	5,746,120
Travel and vehicle expense		371,272	411,682	318,270	289,237	262,502
Transportation equipment purchases		26,500	22,043	13,686	0	0
Office expense		389,930	398,383	415,186	390,788	380,824
Office and communication equipment purchases		278,488	102,025	248,752	272,181	122,330
Communication expense		588,355	488,585	419,945	451,263	385,735
Institutional and physical plant:						
Expense		135,020	180,765	147,102	141,594	121,397
Purchases		7,122	19,375	9,606	31,189	68,877
Data processing expense and equipment		510,569	226,912	434,578	212,198	240,831
Professional services		98,799	37,394	75,655	5,702	28,217
Other expense		306,254	302,325	297,704	294,533	244,887
	\$	10,395,743	9,510,170	9,363,137	8,094,892	7,601,720

The accompanying Note to the Supplementary Data is an integral part of this statement.

Schedule 2

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS
SENATE
STATEMENT OF CHANGES IN GENERAL FIXED ASSETS

Furniture and

		and			
		Equipment	Vehicles	Building	Total
Balance, July 1, 1996	\$	3,438,903	38,341	10,000	3,487,244
Additions		391,839	25,160	0	416,999
Dispositions		-69,155	-25,835	-10,000	-104,990
Balance, June 30, 1997		3,761,587	37,666	0	3,799,253
Additions		86,770	22,042	0	108,812
Dispositions		-169,500	-12,506	0	-182,006
Balance, June 30, 1998	_	3,678,857	47,202	0	3,726,059
Additions		378,016	26,000	0	404,016
Dispositions		-392,027	0	0	-392,027
Balance, June 30, 1999	\$	3,664,846	73,202	0	3,738,048

The accompanying Note to the Supplementary Data is an integral part of this statement.

Notes to the Financial Statements and Supplementary Data

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE NOTES TO THE FINANCIAL STATEMENTS AND SUPPLEMENTARY DATA

Notes to the Financial Statements:

1. <u>Summary of Significant Accounting Policies</u>

A. Reporting Entity and Basis of Presentation

The accompanying special-purpose financial statements present only selected data for each fund of the Senate.

Receipts, disbursements, and changes in cash and investments are presented in Exhibit A for the Senate Revolving Fund. Appropriations from this fund are expended by or for the Senate for restricted purposes.

Appropriations, presented in Exhibit B, are not separate accounting entities. They do not record the assets, liabilities, and equities of the related funds but are used only to account for and control the Senate's expenditures from amounts appropriated by the General Assembly.

Expenditures presented for each appropriation may not reflect the total cost of the related activity. Other direct and indirect costs provided by the Senate and other state agencies are not allocated to the applicable fund or program.

B. Basis of Accounting

The Statement of Receipts, Disbursements, and Changes in Cash and Investments, Exhibit A, prepared on the cash basis of accounting, presents amounts when they are received or disbursed.

The Statement of Appropriations and Expenditures, Exhibit B, is presented on the state's legal budgetary basis of accounting which recognizes expenditures on the encumbrance method. Expenditures include amounts payable or encumbered at June 30 and paid during the lapse period, which ends August 31 for regular appropriations and December 31 for capital improvement appropriations. The authority to expend appropriations ends with the close of the lapse period. However, the General Assembly may authorize reappropriation of the unexpended balances of capital improvement appropriations for the following year. The General Assembly also may authorize biennial capital improvement appropriations, for which the unexpended balances at June 30 of the first year of the two-year period are reappropriated for expenditure during the second year.

The cash basis of accounting and the budgetary basis of accounting differ from generally accepted accounting principles, which require revenues to be recognized when they become available and measurable or when they are earned and expenditures or expenses to be recognized when the related liabilities are incurred.

C. Fiscal Authority and Responsibility

The Senate administers transactions in the funds listed below. The state treasurer as fund custodian and the Office of Administration provide administrative control over fund resources within the authority prescribed by the General Assembly.

<u>Senate Revolving Fund</u>: This fund was established by Section 21.235, RSMo 1994, to receive funds paid or transferred to the Senate for printing, duplicating, postage, computer services, surplus property sales, refunds from vendors, personal reimbursements, or any other goods or services for which a fee is charged. Expenditures are authorized by appropriation and by the Senate Administration Committee. The unexpended balance exceeding \$5,000 at the end of the biennium is transferred to the General Revenue Fund-State.

<u>General Revenue Fund-State</u>: The Senate receives appropriations from this fund and does not maintain a proprietary interest in the fund. Appropriations from the fund are used for the basic operation of the Senate, including those programs and services that have no other funding source. These appropriations also may be used to initially fund, or to provide matching funds or support for, programs paid wholly or partially from other sources.

D. Employee Fringe Benefits

In addition to the social security system, employees are covered by the Missouri State Employees' Retirement System (MOSERS) (a noncontributory plan) and may participate in the state's health care, optional life insurance, deferred compensation, and cafeteria plans. The optional life insurance and cafeteria plans involve only employee contributions or payroll reductions. Also, the deferred compensation plan involves employee payroll deferrals and a monthly state matching contribution for each participating employee.

The state's required contributions for employee fringe benefits are paid from the same funds as the related payrolls. Those contributions are for MOSERS (retirement, basic life insurance, and long-term disability benefits); social security and medicare taxes; health care premiums; and the deferred compensation plan match.

Transfers related to salaries are not appropriated by agency and thus are not presented in the financial statement at Exhibit B.

2. Cash

The balance of the Senate Revolving Fund is pooled with other state funds and invested by the state treasurer.

3. <u>Transfers to General Revenue Fund-State</u>

In accordance with Section 21.235, RSMo 1994, the unexpended balance of the Senate Revolving Fund not exceeding \$5,000 is exempt from the provisions of Section 33.080, RSMo 1994. That statute states the state treasurer will make a biennial transfer of unexpended funds to the state's General Revenue Fund. The amount presented for the year ended June 30, 1998, represents the excess balance over \$5,000, and the fund's proportional share of fiscal year 1996 and 1995 refunds required by Article X, Section 18 of the Missouri Constitution. The amounts presented for the years ended June 30, 1999 and 1997, represent fiscal year 1997 refunds required by Article X, Section 18 of the Missouri Constitution and an adjustment made to correct a previous transfer, respectively.

4. Reconciliation of Total Disbursements to Appropriated Expenditures

Disbursements on Exhibit A reconcile to appropriated expenditures of the Senate Revolving Fund on Exhibit B as follows:

	 Year Ended June 30,		
	1999	1998	1997
DISBURSEMENTS PER EXHIBIT A	\$ 1,966	107,668	1,001
Lapsed period expenditures - 1997	0	(30,060)	30,060
Transfers	(1,966)	(77,608)	(1,001)
EXPENDITURES PER EXHIBIT B	\$ 0	0	30,060

5. Other Collections

As part of hosting the 1996 Annual Meeting of the National Conference of State Legislatures (NCSL) in St. Louis, the Missouri General Assembly established the Missouri Host State Committee (Committee) to raise funds necessary to cover the projected expenses of the meeting. The NCSL acted as the fiscal agent of the Committee and in that capacity received all revenues and paid all expenses related to the meeting.

In fiscal year 1995, the Missouri General Assembly approved a joint appropriation to cover the projected in-state expenses of both the Senate and House of Representatives, (ie. staff payroll, travel, supplies, phone charges, rentals, etc.) related to conducting and hosting the meeting. These expenses were to be reimbursed by the NCSL from any remaining funds after all other expenses of the annual meeting had been paid.

After the conclusion of the meeting and the finalization of the Committee's responsibilities in hosting the meeting, it was determined Senate staff had incurred expenses totaling \$228,035. This amount was reimbursed by the NCSL and received during the year ended June 30, 1997. Of this amount, \$47,541 was deposited into the Senate Revolving Fund and the remaining \$180,494 was transmitted to the General Revenue Fund-State. The monies turned over directly to the General Revenue Fund-State are not presented in the financial statements.

Note to the Supplementary Data:

6. General Fixed Assets

General fixed assets, which are recorded as expenditures when acquired, are capitalized at cost in the General Fixed Assets Account Group and are not depreciated.

MANAGEMENT ADVISORY REPORT SECTION

Management Advisory Report -State Auditor's Current Recommendations

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE SUMMARY OF FINDINGS

1. <u>Personnel Policies</u> (pages 21-23)

The Senate does not have written job descriptions for many support staff employment positions and does not periodically evaluate many support staff employees. The Senate support staff personnel policy does not address how leave should be requested, approved, and documented and these employees are not required to prepare time sheets. There is no personnel policy for senators' personal staff and there are no centralized leave records for these employees.

2. <u>Payroll Records and Procedures</u> (pages 23-26)

Payroll duties are not properly segregated and personnel files are not always complete. Leave records are not maintained for some senate support staff and leave records are not submitted to the payroll clerk in a timely manner. Some employees have been allowed to retain and accumulate a significant amount of annual leave in excess of the leave policy limits, while other employees were allowed to accrue negative annual, sick, and compensatory leave balances.

3. <u>Expenditures</u> (pages 26-28)

The Senate has not established a written procurement policy. A significant amount of postage stamps were purchased and delivered to the various senators without controls in place to ensure they were used for official business. Approximately \$21,750 was spent printing calendars for senators to send to friends and constituents.

4. <u>Sale of Surplus Property</u> (page 28)

Used office furniture and equipment is sold to senators, their staff, and outside parties for significantly less than the original requisition costs, instead of surplusing it for use by state agencies.

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE MANAGEMENT ADVISORY REPORT STATE AUDITOR'S CURRENT RECOMMENDATIONS

We have audited the special-purpose financial statements of the Senate as of and for the years ended June 30, 1999, 1998, and 1997, and have issued our report thereon dated October 22, 1999.

The following Management Advisory Report presents our findings and recommendations arising from our audit of the Senate's special-purpose financial statements. During our audit, we also identified certain management practices which we believe could be improved. Our audit was not designed or intended to be a detailed study of every system, procedure, and transaction. Accordingly, the findings presented in the following report should not be considered as all-inclusive of areas where improvements may be needed.

1. Personnel Policies

The Senate has two groups of employees. Senate support staff work for the Senate overall. Research analysts, print shop employees, accounting staff, maintenance employees, and the Senate carpenter are examples of senate support staff. Senators' personal staff work exclusively for a senator. Attorneys and secretaries are examples of senators' personal staff. The following concerns were noted in our review of the Senate's personnel policies:

- A. The Senate does not have written job descriptions to document the responsibilities and qualifications for many Senate support staff employment positions. In addition, we noted written performance appraisals are not prepared periodically to evaluate the performance of many support staff employees.
 - Job descriptions are necessary to ensure that individuals are aware of their duties and responsibilities and are qualified for the position for which they are hired. In addition, job descriptions can be used as objective criteria in the evaluation of potential employees. Written performance appraisals can lead to improvement in employee performance, and may be used to evaluate employees for salary increases, promotions, and other personnel actions.
- B. The Senate has a personnel policy addressing the accrual, use, and lapsing of annual leave, sick leave, and compensatory time for support staff; however, the policy does not address how the use of leave should be requested, approved, and documented (ie. leave slips). In addition, support staff are not required to prepare time sheets documenting hours worked and/or leave taken.

Proper control over payroll requires documentation, such as time sheets or leave slips, signed by the employees and approved by their supervisors, to provide evidence of time worked and/or leave taken each month.

C. There is no personnel policy for senators' personal staff and there is no centralized record of leave earned and taken by personal staff. Each senator is responsible for maintaining time sheets and/or leave records for their employees. Upon termination or at other times throughout the year, each senator decides what amount, if any, of annual leave or overtime to pay their personal staff. During our review, we noted several extra payments ranging from \$200 to \$3,500 to senators' personal staff for accumulated leave or overtime. The only documentation provided to the Senate authorizing this extra compensation is a letter from the senator.

A written personnel policy for personal staff employees is necessary to provide assurance employees are treated equitably and to prevent misunderstandings. In addition, without centralized records, the Senate cannot ensure that employees' annual leave, sick leave, and compensatory time balances are accurate. Centralized leave records also aid in determining final compensation for employees leaving Senate employment.

Conditions B. and C. were similarly noted in the prior report.

WE RECOMMEND the Senate:

- A. Prepare written job descriptions that establish the responsibilities and qualifications for all support staff positions. In addition, written performance appraisals should be prepared for each support staff employee on a periodic basis.
- B. Revise the personnel policy for support staff to provide guidance as to how the use of leave should be requested, approved, and documented (ie. leave slips). In addition, support staff should be required to prepare monthly time sheets documenting hours worked and/or leave taken.
- C. Establish a written personnel policy for senators' personal staff. In addition, the payroll records for all Senate employees should be centralized, with personal staff required to submit time sheets or leave slips.

AUDITEE'S RESPONSE

A. With the exception of some of the professional staff, the Senate does not maintain written job descriptions for many support staff positions. As support staff openings arise, an evaluation is done to determine the skills or qualifications needed to fulfill the responsibilities of the particular job being filled. New support staff are made aware of their responsibilities and how they are expected to fulfill them when hired. Written performance

appraisals can be useful if developed and administered properly. The identification of appropriate performance dimensions for each job and the establishment of appropriate performance standards for each dimension is key to the development of accurate performance measures. The Senate agrees to review current policy for potential improvements in employee development and performance measurement.

B&C. Senators do their own staffing. Senators establish the working hours, duties, salary, and any leave accrual rates for their employees. Therefore, it has not been practical for us to maintain leave records for this group of employees.

Accumulated leave which is to be paid upon termination is generally documented with a letter from the senator with the stipulation that supporting documentation be available upon request. Any accumulated leave reimbursement is limited to the maximum that could have been accrued by a support staff employee with comparable state service.

The Senate typically does not allow overtime payments. Previously when such payments were allowed they were required to be documented with a letter with the stipulation that supporting documentation be available upon request.

As to extra payments made to senators' salaried personal staff, the overtime reimbursements noted by your staff took place in 1996 and were for one senator's staff. The other extra payments noted in your review can be classified as either corrections or adjustments. The corrections were typically a result of salary not being adjusted when a change was to take place (i.e., a new rate was not correctly entered on the payroll when it should have taken effect). The adjustments were relatively minor fluctuations in pay authorized by the senator on his employee authorization form; some were increases while some were decreases.

The Senate recognizes the importance of the consistent interpretation and application of agency personnel policies across employee groups. With the upcoming implementation of the HR/Personnel phase of SAM II, we plan to perform a thorough review of our current personnel policies and procedures for both support staff and senators' personal staff during the upcoming interim.

Payroll Records and Procedures

2.

A. There is no segregation of duties to provide necessary internal controls over the payroll function. The Senate payroll clerk handles all payroll duties including payroll preparation, record keeping, timekeeping, disbursing payroll checks, distributing employee W-2s, and maintaining the personnel files. While the Secretary of the Senate and the President Pro Tem review and approve the payroll processed, this does not appear to be a sufficient independent review of the payroll function considering the various duties performed by the payroll clerk.

A proper segregation of duties provides a means of establishing controls over assets, thus minimizing the risk for loss, theft, or misuse of funds. If segregation of duties is not possible, the comparison of the payroll disbursements to the payroll requisition by an independent individual would provide another supervisory review to minimize the risk for loss, theft, or misuse of funds.

B. Personnel files maintained by the payroll clerk are not complete. The personnel files do not contain all employee authorizations of withholdings and deductions (ie. W-4 forms, forms for insurance deductions, etc.) or signed payroll transaction records.

Complete personnel files should be maintained to adequately document each individual's employment status and pay information, including authorization of withholdings and deductions, and to avoid possible errors and misunderstandings.

- C. Senate support staff are required to maintain records of leave and compensatory time earned, accumulated, and used. These records are submitted to the payroll clerk who posts them to the employee's accumulated leave records. During our review of these records, we noted the following concerns:
 - 1) Leave records are not maintained for the Senate Administrator, the Director of Operations, or the Secretary of the Senate. Without these records, the Senate cannot adequately monitor leave taken and would be unable to determine the amount of leave to be paid upon termination.
 - 2) Leave records for many support staff are not submitted to the Senate payroll clerk in a timely manner (ie. monthly) as required by the Senate's leave policy. According to Senate personnel, records for some employees have not been submitted and updated for approximately three years; therefore, complete and accurate accumulated leave balances are not being maintained.
 - 3) The Senate has established a leave policy whereby employees are not allowed to accumulate annual leave in excess of the maximum amount which can be earned in two years, and does not allow for carryover of more than that amount. However, at June 30, 1999, a number of support staff employees had accumulated annual leave that exceeded the maximum allowed by that policy. We noted 23 employees with leave exceeding the limit by a total of 3,366 hours. For one employee, the annual leave balance exceeded the limit by 837 hours.

As a result, the Senate is not in compliance with its policy regarding the accumulated annual leave limits. Allowing the accumulated leave limits to be exceeded could result in additional costs to the state.

The Senate has allowed employees to accrue negative balances for annual leave, sick leave, and compensatory leave. At June 30, 1999, one employee had a negative annual leave balance totaling 91 hours, two employees had negative sick leave balances totaling 594 hours, and two employees had negative compensatory leave totaling 9 hours. The employees accruing negative sick leave and negative compensatory leave had accrued annual leave they were not required to take.

The Senate's leave policy requires that leave be earned prior to the time it is taken. All available leave should be used, rather than allowing employees to accrue negative leave balances. Should an employee require leave in excess of their balances, it appears the employee should be placed on leave without pay status.

Complete and accurate accumulated leave records, updated timely, allow for leave balances to be adequately monitored to ensure employees are not incurring a negative leave balance and employees are not accumulating leave in excess of the maximum balance allowed. In addition, such leave records provide support for the amount of accumulated leave to be paid to an employee upon termination.

Conditions similar to those noted above were also noted in the prior report.

WE RECOMMEND the Senate:

- A. Adequately segregate duties related to the payroll function. At a minimum, an adequate independent review of the duties performed by the payroll clerk should be performed on a periodic basis.
- B. Maintain complete personnel files, including employee authorization of withholdings and deductions and a record of all authorized payroll transaction records.
- C. Ensure all employees submit leave records on a timely basis and maintain complete and accurate accumulated leave records. In addition, leave balances should be monitored to ensure the established leave policies are being followed.

<u>AUDITEE'S RESPONSE</u>

A. We believe our payroll function has a more than sufficient independent review and approval process. In addition to the Secretary of Senate and President Pro Tem's formal review and approval of the payroll, the Administrator and the Assistant Director of General Operations review the payroll prior to it being submitted. Furthermore, each month the accounting staff reconciles the employees' payroll authorizations with the current earnings register. (Started 1/99).

We agree that the lack of segregation of duties of the payroll clerk has been less than optimal. Revisions in our payroll procedures were already planned for the interim to accommodate SAM II, Phase II. Effective immediately, another staff person will assist the payroll clerk by comparing the checks with the requisition and then distributing the checks to alleviate any perceived weakness in control.

- B. With regard to the personnel files, the exceptions noted resulted from a change in our payroll processing procedures and a back log of filing which has since been updated. Since going on-line with our payroll processing, some of the input documents which were formerly hard copy with signature lines are not longer used. Currently, information is entered directly online and the resulting output documents once received are filed. We will review our processing procedures for possible changes to improve our documentation trail.
- C. We will reinforce the importance of the timely submission of leave reports for all employees during the interim. We will also make an effort to clarify any questions which may exist or arise with regard to the handling of certain leave situations.

3. Expenditures

During our review of expenditures, we noted the following concerns:

- A. The Senate manages its own purchasing functions. Section 34.010, RSMo 1994, exempts legislative departments from the procurement and bidding requirements which apply to most state agencies. While it appears most of the purchases reviewed were handled in an appropriate manner, the Senate has not established a written procurement policy.
 - Formal bidding procedures for major purchases provide a framework for economical management of state resources and help ensure fair value is received by contracting with bidders offering the best service and quality for the lowest cost. Competitive bidding helps ensure all parties are given an equal opportunity to participate in the Senate's business. Various bidding approaches are appropriate, based on dollar amount and type of purchase. Whichever approach is used, complete documentation should be maintained of all bids received and reasons noted why the bid was selected. A written bid policy would clarify the Senate's intentions and provide employees with a policy to follow.
- B. During the three years ended June 30, 1999, the Senate passed resolutions authorizing the Senate Administrator to purchase and deliver postage stamps to the various senators at a total cost of \$151,665, or an average of \$4,460 per senator. These resolutions required that the stamps be used for official business.
 - Senators have access to the Senate postage machine and receive a yearly allowance for meter postage. The postage machine provides a means to control the use of postage

stamps. However, there are no controls implemented to ensure the postage stamps purchased and distributed to the senators are used properly or that any unused stamps are returned to the Senate Administrator to be given to the new senator coming into office. The Senate does not keep a record of whether senators turn in stamps, or if so, how many. Therefore, it is difficult for the Senate to determine the disposition or use of any unused stamps.

C. The Senate print shop printed calendars for distribution by most of the senators each year as follows:

Year Ended June 30,	<u>Calendars Printed</u>
1997	20,325
1998	20,025
1999	18,450

The Director of Purchasing estimated the material cost for the calendars for the three years ending June 30, 1999, totaled approximately \$21,750. This does not include the labor and postage costs that were incurred during the printing and mailing of these calendars.

While the cost of these calendars was less than that noted in the prior audit, it appears the benefits associated with providing these items may not merit the costs involved. The Senate has a responsibility of ensuring state resources are used for the benefit of the general public.

Similar conditions were also noted in the prior report.

WE AGAIN RECOMMEND the Senate:

- A. Develop a written procurement policy detailing bid requirements.
- B. Use the postage machine whenever possible and the use of postage stamps should be kept to a minimum. In addition, the Senate should maintain a log documenting the number of stamps returned by senators when they leave office.
- C. Discontinue the printing of calendars at state expense.

<u>AUDITEE'S RESPONSE</u>

A. Although exempt from state purchasing laws, we take our procurement and bidding responsibilities very seriously. We will look at developing written procurement procedures during the upcoming interim.

B. We agree that the purchase of postage stamps for senators should be kept to a minimum due to the inherent lack of control over their use. This distribution of postage stamps continues due to the amount of correspondence sent from district offices.

Though a permanent record of stamps returned by senators leaving office is not kept, we do note the number of stamps received and recycle as many as possible (quantity of new stamps purchased reduced by the number of stamps returned) in the next stamp distribution. We agree that effective immediately a log will be kept documenting the number of stamps returned by senators when they leave office.

C. The current Administration Committee has continued to follow the tradition of printing a limited number of calendars for distribution by senators that depict features of Missouri and its history. The Committee has felt that the calendars provide a useful service to citizens at a fairly minimal cost.

Sale of Surplus Property

The Senate allows the sale of surplus property including used office furniture and equipment through the Senate Administrator's office. During the three years ended June 30, 1999, the Senate sold fixed assets with an original acquisition cost of approximately \$52,000 to senators, their staff, or outside parties for approximately \$6,800. The average age of these assets was eight years. Many of the purchases were to senators buying some of their office furniture or equipment when they left office. In addition, other senators purchased older items which were being replaced with new items. For example, we noted two computers with an average age of 3.25 years and a total original cost of \$2,378 were sold to a senator for approximately \$575. The Senate has not established a policy on how to value these items for sale and it may not be handling the disposition of these assets in the most cost efficient manner.

Although the extent of property sales to senators, their staff, and outside parties was less than that noted in the prior audit, the Senate should consider using State Surplus Property for disposing of all used assets. This procedure would allow the items to be used by state agencies or, if sold, would provide more assurance that fair value is obtained and all parties are given an equal opportunity to acquire these assets.

This condition was also noted in prior reports.

WE AGAIN RECOMMEND the Senate consider turning all used assets being disposed of over to State Surplus Property.

AUDITEE'S RESPONSE

4.

The Senate utilizes State Surplus Property on a regular basis for the disposition of idle/outdated assets and will continue to do so. The Administration Committee recently directed the Senate Administrator to cease the sale of surplus property to sitting senators.

This report is intended for the information of the management of the Senate and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.

Follow-Up on State Auditor's Prior Recommendations

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE

FOLLOW-UP ON STATE AUDITOR'S PRIOR RECOMMENDATIONS

This section reports follow-up action taken by the Senate on recommendations made in the Management Advisory Report (MAR) of our report issued for the three years ended June 30, 1993. The prior recommendations which have not been implemented, but are considered significant, have been repeated in the current MAR. Although the remaining unimplemented recommendations have not been repeated, the Senate should consider implementing these recommendations.

1. <u>Payroll Procedures</u>

- A. Neither the Senate support staff nor the senators' personal staff maintained time sheets showing hours worked and leave taken.
- B. The Senate had no policy for the senators' personal staff, and therefore, no record of leave earned and taken by personal staff.
- C.1. No leave records were maintained for the Senate Administrator, the Director of Operations, or the Secretary of the Senate. In addition, leave records for some employees were not turned in for posting on a timely basis.
 - 2. Some support staff were allowed to accumulate annual leave in excess of established limits.
 - 3. Some support staff had negative annual and sick leave balances.
- D. The Senate did not have a written policy regarding the employment of related personnel. In addition, the Senate did not maintain a list of related personnel.

Recommendation:

- A. Require all employees to maintain and submit time sheets of actual hours worked and leave taken.
- B. Establish written policies for annual, compensatory, and sick leave for senators' personal staff, and maintain records of leave earned and taken.
- C.1. Require all employees to submit monthly leave reports to the payroll clerk on a timely basis.
- 2&3. Follow established policies on the accrual of leave.

D. Establish a written policy regarding the employment and supervision of related parties. In addition, the Senate should identify current related employees and review for evidence of incompatible job assignments.

Status:

A&B. Not implemented. See MAR No. 1.

- C. Not implemented. See MAR No. 2.
- D. Partially implemented. The Senate still does not have a formal policy regarding the employment of related personnel; however, we noted no instances where an employee supervised a relative or where there was some other incompatible job assignment. Although not repeated in the current MAR, our recommendation remains as stated above.

2. <u>Postage</u>

- A. The Senate did not reconcile its manual postage meter usage log to the computer log attached to the postage meter.
- B. The Senate purchased over \$141,610 of stamps during the three years ended June 30, 1993, which were delivered to each senator to be used for official business. There were no controls over the usage of these stamps.
- C. The balance of postage on the postage meter or on account at the post office appeared to be excessive based on the amount of postage used annually.

Recommendation:

- A. Reconcile the manual log to the computer log to ensure postage meter usage is properly recorded to each senator's allowance.
- B. Use the postage machine whenever possible. The use of postage stamps should be kept to a minimum. In addition, the Senate should maintain a log listing the number of stamps returned by senators when they leave office.
- C. Monitor postage balances in all postage accounts to ensure only reasonable balances are maintained.

Status:

A&C. Implemented

B. Not implemented. See MAR No. 3.

3. <u>Expenditures and Purchasing Procedures</u>

- A. A written bid policy had not been established and instances noted where significant expenditures were made without bids being obtained.
- B. No written contract could be located to support \$128,000 in legal services.
- C. The Senate Administration Committee did not obtain detailed plans when pre-approving individual renovation projects. In addition, bids were not obtained for the renovation work.
- D. The Senate obtained phone credit cards from the old long distance carrier rather than the new carrier which had been awarded the state contract.

Recommendation:

- A. Develop a written bid policy detailing bid requirements.
- B. Ensure all consulting projects are supported by written contracts specifying duties to be performed and compensation to be paid.
- C. Require detailed budgets to be submitted for all renovation projects prior to approval by the committee, and obtain bids for the related work.
- D. Utilize the long-distance carrier awarded the state contract.

Status:

- A. Not implemented. A written bid policy has still not been established. See MAR No. 3.
- B. Partially implemented. We noted one consulting project which was not supported by a written contract; however, a resolution was adopted by the applicable joint committee specifying the initiation of the agreement, length of the agreement, and compensation. A copy of the resolution was forwarded to the consultant. Based on our review, it appears that billings for services rendered during the audit period were made in accordance with this resolution. Although, not repeated in our current MAR, our recommendation remains as stated above.
- C. Partially implemented. Detailed budgets were not obtained prior to approval; however, we noted that most renovations were either bid, the state contract was used, or a state agency performed the renovation. In addition, the actual costs incurred for these

renovations were comparable with the estimated costs previously approved by the Administrative Committee. Although, not repeated in our current MAR, our recommendation remains as stated above.

D. Implemented.

4. Administration Committee

- A. In 1992, additional staff were assigned to two senators not in leadership positions. There was no documentation in the Administrative Committee minutes authorizing these senators to hire additional staff and exceed their personal service allowance.
- B. Administration Committee policy required prior approval for all out-of-state travel. Documentation of prior approval was not found for all out-of-state trips.

Recommendation:

- A. Formally approve any additional staff allowed. Such approval should document why additional staff is needed. The salaries of additional staff should be added to the senator's personal service allowance to document compliance with the committee's decisions.
- B. Document prior approval of out-of-state travel in the minutes.

Status:

A&B. Implemented.

5. Use of State Resources

The Senate print shop printed calendars and Christmas cards for various senators at the state's expense.

Recommendation:

The Senate not provide or print Christmas cards and calendars at state expense. Additionally, the Senate should determine if any reimbursement to the state is necessary.

Status:

Partially implemented. Christmas cards are no longer printed; however, the Senate still spent approximately \$22,000, not including labor or postage, to print calendars during the current audit period. See MAR No. 3.

6. Sale of State Property

- A. Senators and their staff were allowed to purchase used office furniture and equipment through the Senate Administrator's office at prices significantly below the original acquisition cost.
- B. The Senate sold to local businesses in the Jefferson City area used typesetting equipment without advertising the sales. In addition, documentation of phone bids received for the equipment was not retained.

Recommendation:

The Senate consider turning used assets over to State Surplus Property.

Status:

Partially implemented. It appears the Senate has been turning more of its used assets over to State Surplus Property; however, senators, their staff, and others are still being allowed to purchase other used items at prices significantly below the original cost. See MAR No. 4.

STATISTICAL SECTION

History, Organization, and Statistical Information

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE HISTORY, ORGANIZATION, AND STATISTICAL SECTION

Legislative power in Missouri is vested by Article III, Section 1 of the 1945 Constitution in the General Assembly, more commonly known as the legislature, composed of the Senate and the House of Representatives.

The Senate consists of thirty-four members who are elected for four-year terms. Senators from odd-numbered districts are elected in presidential election years. Senators from even-numbered districts are chosen in the "off-year" elections. Each senator must be at least thirty years of age, a qualified voter of the state for three years, and of the district he represents for one year. The lieutenant governor is president and presiding officer of the Senate. In his absence, the president pro tem, who is elected by the Senate members, presides. The Senate convenes annually on the first Wednesday following the first Monday in January and adjourns on May 30 with no consideration of bills after 6:00 p.m. on the first Friday after the second Monday in May.

Senate leadership positions are classified as either leadership or committee chairman. Senators in leadership positions include the president pro tem and the majority and minority floor leaders. Effective January 1, 1998, the assistant minority floor leader position receives the same allotments as a committee chairman position. In addition to their normal clerical hire, the president pro tem, majority floor leader, minority floor leader, the senior member of each party, and the chairman of the Appropriations Committee are allowed to hire an administrative assistant. The president pro tem is authorized to hire a secretary for his administrative assistant.

Senators received salaries as follows:

		Year Ended June 30,		
<u>Positions</u>		<u>1999</u>	<u>1998</u>	<u>1997</u>
President pro tem	\$	31,580 30,13	36 29,302	
Floor leaders		30,580 29,14	40 28,302	
All remaining senators	29,080	27,640 26,80	02	

Senators were authorized per diems and mileage reimbursement as follows:

Effective Dates	Per Diem	Mileage Rate
July 1, 1996 - December 31, 1997	\$35.00	
January 1, 1998 - December 31, 1998	65.60	
January 1, 1999 - December 31, 1999	68.80	
July 1, 1996 - June 30, 1997		\$0.280
July 1, 1997 - June 30, 1998		0.285
July 1, 1998 - June 30, 1999		0.295

Each senator is paid a per diem each day the senator is in attendance at the legislative session. In addition, senators are reimbursed for each mile traveled when commuting to and from Jefferson City for each week the legislature is in session.

Senators receive various annual allowances to be utilized in the performance of their official duties. These allowances are established by the Administration Committee and are subject to the limitations imposed by the appropriation authorizing these expenditures. Maximum allowances have been set by category of expense with the provision that total expenditures for each senator do not exceed the maximum total allowance. In addition, with approval of the Administrative Committee, senators may spend over the maximum allowance by category or in total, carry unused allowances to subsequent years. The annual allowances for the year ended December 31, 1998 were as follows:

		Committee	All
	Leadership	Chairman	Remaining
Allowance	Positions	Positions	Senators
Maximum allowance by category:	 		
Personal service	\$ 93,035	83,747	76,581
Home office expense	7,200	7,200	7,200
Postage	27,500	27,500	27,500
Travel	4,800	4,800	4,800
Office expense	2,000	2,000	2,000
Maximum Total Allowance	\$ 108,521	96,705	89,922

The personal service allowance is used to pay the salaries of the senators' capitol and district staff. Expenses to maintain a district office, such as rent, telephone charges, and answering services are charged against the home office expense allowance. This postage allowance is primarily used to pay the cost of mailing newsletters. In addition, various senators received by senate resolution postage stamps totaling \$71,825, \$31,840, and \$48,000 during the fiscal years ended June 30, 1999, 1998, and 1997, respectively. Travel expenses incurred in connection with the duties of a state senator are reimbursable from the travel allowance and each senator is allowed to make office purchases of \$2,000 per year without being cleared through the Administration Committee. Each senator has a credit card for telephone calls regarding senate business when not at their capitol office.

The Senate determines its own rules and procedures, and rules may not be dispensed without at least one day's notice and only by a vote of at least a majority of the Senate. However, a rule may be suspended for a special purpose by a vote of a two-thirds majority of the members. This suspension shall remain only until the Senate proceeds to the consideration of business other than that for which the rule was suspended. The Senate is required to keep a daily journal (or record) of its proceedings. At the end of the session, the journals are bound by the Office of the Secretary of State.

The Senate receives appropriations for various commissions and committees as follows:

- A. The Missouri Commission on Interstate Cooperation (MCIC) was created by Chapter 16, RSMo 1994. The commission was repealed by statute in 1995; however, the Senate continues to receive appropriations to pay legislators' dues of professional organizations, approximating \$250,000 a year. The commission does not have a formal committee, rather it consists of two commissioners in which MCIC disburses approximately \$3,000 a year for both commissioners to attend annual Commission on Uniform State Law meetings.
- B. The Joint Committee on Administrative Rules (JCAR) was created by Section 536.037, RSMo Cumulative Supp. 1999. This committee is composed of five members each from the House of Representatives and Senate. The members are appointed by the president pro tem of the Senate and speaker of the House of Representatives for the respective bodies. The function of JCAR is to review all rules promulgated by state agencies after January 1, 1976, except rules promulgated by the Public Service Commission and the Labor and Industrial Labor Relations Commission.
- C. The Joint Committee on Public Employee Retirement (JCPER) was created by Section 21.553, RSMo 1994. The committee is composed of six members each from the House of Representatives and the Senate. The members are appointed by the president pro tem of the Senate and speaker of the House of Representatives for the respective bodies. The function of JCPER is to make a continuing study and analysis of all state and local government retirement systems, devise a standard reporting system for public employee retirement systems, determine the need for changes in statutory law, and make recommendations necessary to provide adequate retirement benefits to state and local government employees.
- D. The Joint Committee on Capital Improvements and Lease Oversight (JCCILO) was created by Concurrent Resolution No. 8 of the 84th General Assembly. This committee is composed of five members each from the House of Representatives and the Senate. The members are appointed by the president pro tem of the Senate and speaker of the House of Representatives for the respective bodies. The function of JCCILO is to review the design intent, scope, bids, contracts, and other pertinent information on capital improvement projects that may affect current capital spending and the development of future capital and/or operating appropriations.
- E. The Joint Committee on Economic Development Policy and Planning (JCEDPP) was created by Section 620.602, RSMo 1994. The committee is composed of five members each from the House of Representatives and the Senate. The members are appointed by the president pro tem of the Senate and speaker of the House of Representatives for the respective bodies. The function of the JCEDPP is to review the annual report produced by the Department of Economic Development, and plan, develop, and evaluate a long-term economic development policy for the state to ensure the state's competitive status with other states. This committee received no appropriations in fiscal years 1999 and 1998. This section of law expired on July 1, 1999.
- F. The Joint Committee on Health Care Policy and Planning (JCHCPP) was created by Section 191.825, RSMo 1994. The committee is composed of five members each from the House of Representatives and the Senate. The members are appointed by the president pro tem of the

Senate and the speaker of the House for the respective bodies. The functions of JCHCPP are as follows: to monitor the effect of legislative action on health care services, analyze and develop policy proposals to improve the delivery of health care services, make recommendations for changes in the management or organization of the state agencies which provide or regulate the delivery of health care services, and develop health care plans for spending. This section of law is due to expire on December 31, 1999.

Five members of the Senate are appointed by the president pro tem to serve on the Administration Committee. This committee has sole control of all financial obligations and business affairs of the Senate. The committee employs an administrator. The administrator has general supervisory capacity over employees who prepare the Senate budget, maintain the accounting records, acquire machinery and supplies, control inventory, maintain the physical plant, prepare the payroll, coordinate renovation projects, pay bills, and provide objective, nonpartisan research to all members of the Senate.

The Senate has 34 senators and approximately 219 full-time employees.

An organization chart follows.

GENERAL ASSEMBLY AND SUPPORTING FUNCTIONS SENATE ORGANIZATION CHART JUNE 30, 1999

